App. F. IX-4

1932 : 3.

File No. 81-32

Previous References

Genl 92-93 (1-37)

Serial Nos. 1-8

Later References

LR (1-33C 173. 182. 159. 208 dail)

2R 728-40 (1,2)

(15)

General and Revenue Secretariat.

Serial Nos. 1 to 20

Part B for Matters

SUBJECT.

Re moving the Nobeli explosives magazine from their original site and rebuilding them on S. No 69. Kelba-marana halli, Bangalore taluk

D S 864 Ch I Instt of mines K.G.F

State that no Good Case has been made out for interfering with the arrangements ordered in 1935 after Considering all aspects of the Case

Serial No.

1 From the Chief Inspector of Mines
No 2107 dated 1/5/33

Suggests certain modifications to the conditions laid down in Govt order No R.C. 4560-2 / Genl 22-23-37 dated 8/1/25 passing orders on the removal and rebuilding of Messrs Nobel's Explosives Magazines from their original site to a new one in Survey No 69, Kalimaranahalli Village, Bangalore city.

The question of shifting the Nobel's Explosives Magazine from its original site to a new site in the same survey number 69 arose on account of the extension of the buildings of the Minerva Mills towards the magazine. According to the Explosives rules no dwelling houses should be built within the prescribed distance from the magazine. As the buildings belonging to the Minerva Mills were approaching the prohibited zone, the magazine was shifted to a new site (approved by the Chief Inspector of Mines & the Dist Magistrate, Bangalore Dt.) in the same survey no. about 600 feet away from the original site at the cost of the Mill authorities (Please see Members Minutes dated 28/11/24 & 19/12/24 in the note of the Collector Genl 22-23 flag J and the note by the Chief Inspector of Mines dated 23/7/23 flag R) The transfer of the magazine to the new site

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[redacted]—Contn. Sheet.

was approved by the Govt- in their G.O.-order dated 87 1/25- (Flag V) with the following conditions-

1) As the new magazine is provided with a ramp a distance of 190 yards from the magazine was fixed within which no dwelling houses should be erected

2) Houses were permitted to be erected beyond the forbidden zone on recovery of the fine prescribed in the rules.

3) No buildings should be constructed to the ~~west~~ West of the road which has been formed on S. No 67 parallel to & at a distance of about 100 yards from the bella forming the boundary between Survey Nos 67+69.

4) Persons building houses on Survey No 67 should execute Muchalika to the effect that they have no objection to the existence of the magazine in the site where it was shifted & rebuilt.

& 5) they have to bear additional cost for raising the ramp round the magazine to a height sufficient to protect the houses on Survey No 67.

The Chief Inspector now in his letter dated 1/5733 says that it is difficult to comply with conditions Nos 4 & 5 above for the reasons mentioned under-

1) As the tenants of the houses

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may be changing places often it is not-possible to procure new Mutchulikas from every new tenant-. On the otherhand in the absence of a Mutchulika if any damages occur to their houses on account of explosions according in the magazine they may have claim on the Govt- to make good their loss. Difficulties may also arise if the properties are transfered from one owner to another.

As the ramp round the magazine has to be raised to a further height of 14 feet to protect the high buildings, the cost of which has to be borne by the builders according to the above conditions. The Chief Inspector says that it is difficult to collect money from the builders for raising the ramp in proportion to the size of their houses which are dissimilar.

The Chief Inspector suggests that the distance viz 150 ft of the houses from the magazine fixed in the Govt-order dated 8/11/23 has to be increased to 295 yds as the magazine is partially protected and to avoid houses being built in the proximity of the danger zone.

V
Govt 22-23-37

The Chief Inspector further adds that the laying out of roads and building sites of the proposed Ramachandrapuram extension (vide the plan enclosed to the Chief Inspector's letter) lie within the prohibited zone. He is not-

NOTE—Contn. Sheet.

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(c)

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in favour of permitting poorer people to erect houses there in view of the extension of the Minerva Mill & Maharaja's Mills & railway colony. He is of opinion that this piece of land which is just outside the municipal limits may be included instead of dividing it among the poorer men within it in order to provide good roads & sanitation.

The L.S. Government may be consulted in regard to the inclusion of this land within the Mill limits

Mr D.C. Banerjee may be written to & asked to submit a report in respect of the suggestions of the Chief Inspector.

Submit for orders with reference.

Govt
5/5/33 The order of 1925 was passed after due consideration of all the circumstances of the case as detailed in the Member's Minute (Mr K. R. Srinivasachariyar) dated in consultation with the then Chief Inspector of Mines (Mr Boeguet) The present Chief Inspector of Mines after an interval of nearly 8 years suggests that the radius of the prohibited ~~Zone~~ Circle should be increased from 190 to 295 yds from the Magazine. Though there seems to be much force in the arguments set forth

Serial No.

about the strict enforcement of the condition of Mutchulka and the recovery of the contributions for raising the height of the ramparts round the magazine, it is for consideration whether it is desirable to withdraw the permission already granted to private people to build houses on certain subjects to certain conditions. If the municipality wish to lay out an extension without permitting private individuals to form an extension of their own, it is left to them to acquire the centre of No. 67 and lay out an extension on the most modern sanitary lines. Whether the ground now fixed forth by the present chief inspector of mines to alter or modify that sort order passed after due deliberation in 1925 are sufficient and equitable is for consideration. It would perhaps be sufficient to strictly enforce the original condition of prohibiting buildings being erected within the prohibited zone of 190 ft from the magazine.

KP

8/5/33 Dev Secy) KP 8/5

NOTE—Contn. Sheet.

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It is clear from the note of Mr. K. R. Srinivasiengar that permission to build houses was granted after making sure that the clear distances necessary between the magazine & the buildings should be 190 yards, though this distance could be halved if an earthen ramp were to be put round the magazine. There is no risk involved as long as the buildings are constructed beyond this radius.

No question of contribution from the builders for raising the height of the ramp should arise. If the raising of the height is necessary the cost should be met by those in charge of the magazine as they are bound under law to take such order with highly dangerous stores as explosives of the kind they are storing, as they may be required to do.

The occupants of the houses could not claim any damages for any accident at the magazine as the builders of the houses have given their consent to the building of the magazine. If they have any objection they need not occupy these houses at all.

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I do not think that any modification of the G.O. as recommended by the Chief Inspector of Mines is called for.

Second Member 9.5.33.

I agree that no good case has been made out for interfering with the arrangements ordered in 1925 after considering all aspects of the case

15/5

15.5.33 15/5

submit with a draft for approval

16/5

issue 16/5

No 5864 dt 18-5-33

The Chief Inspector of Mines.

State that no good case has been made out for interfering with the arrangements ordered in 1925

Second ... Branch. 9 MAY 1933 No. 7824

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NOTE—Contn. Sheet.

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GOVERNMENT OF MYSORE.

Telegraphic Address :—
"MINESPECTOR"

DEVELOPM. . . ..CH,

DEPARTMENT OF MINES AND EXPLOSIVES.

OFFICE OF THE CHIEF INSPECTOR OF MINES IN MYSORE.

No. 2107
Encl :— One.

Dated Oorgaum, 1st May 193 3.
(S. India).

FROM

C. E. SURYANARAYANA RAU, Esq., Mem. A.I.M.E., &c.,
Chief Inspector of Mines in Mysore.

To,

S. Abdul Wajid, Esq., B.A.,
Secretary to the Government of His Highness
the Maharaja of Mysore, Development Department,
B a n g a l o r e.

Sir,

Adverting to Government Order No.I.C.4560-2/Geol.22-23-37 dated 8-1-1925 passing orders on the removal and rebuilding of Messrs. Nobel's Explosives Magazines from their original site to a new site in Survey No.69 and stipulating among other conditions, the following, for the construction of houses in Survey No.67, East of the magazines within the limits of Ketmaranahalli village, Bangalore Taluk:-

(i) that no buildings should be allowed to the west of the road which has been formed on Survey No.67 parallel to and at a distance of about 100 yards from the halla forming the boundary between Survey Nos.67 and 69,

(ii) that persons who build houses on survey No.67 should also be required to execute a Mutchalika in writing to the effect that they have no objection to the existence of the magazines on the site where it is now rebuilt,

and (iii) that such persons will bear any additional cost required for raising the ramp round the magazines to a height sufficient to afford protection to the houses in survey No.67,

I have the honour to submit that strict compliance with conditions 2 and 3 appear somewhat impracticable inasmuch as, apart from the builders of houses, the occupants thereof may keep changing from time to time, in which case it may not be possible to notify or take mutchalika from each occupant. The absence of a "muchalika" may

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become a valid reason for the occupants of houses here to run in the Government for any damages resulting on account of an accident happening at the magazines. Complications may also arise due to transfers of properties.

Again, the ramp round the magazines, which will have to be raised another 14 ft. to form an efficient protection for any dwelling that may be built on the rising ground East of the magazines, will cost a good sum of money. On this point, the Government Order says that the cost of this addition to the ramp should be met by builders of houses in survey number 67. Not all will build their houses at the same time nor will all houses be similar in size and construction. The proportion in which this amount has to be collected from various dwellers and the time during which it may be done are matters which cannot be easily carried out in practice. Even if a single house is raised here, the ramp will have to be provided and one individual cannot reasonably be expected to meet the whole cost nor can the money once spent be recovered easily from the would-be builders.

It will therefore be seen how difficult it is to fully comply with the conditions laid down in the Government Order referred to above.

Being given to understand that new buildings were under construction on survey No.67, which is immediately outside the present Municipal boundary and which if included within it will become valuable municipal land in due course for reasons explained later, I arranged with the Deputy Commissioner, Bangalore, and Commissioner, Bangalore City Municipality for a joint inspection of this locality. We met on this site on 25-1-33 when the President, City Municipal Council, Amildar, Bangalore Taluk, and Municipal Engineer and others were also present. It was the general view of all of us, that having regard to the fact that the magazines have been in existence on the land owned by Messrs. Best & Co., (survey No.69) for many years now and also having regard to the probable

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extension

extension of the City and the proximity of the Minerva and Maharaja Mills and the Railway Colony, any one of which may require this intervening land for their use, it would be undesirable and unsafe to allow the construction of houses by private individuals within the prohibited zone from the magazines.

The distance under the Rules to be left clear of dwelling houses in respect of the magazines in question, which are licensed for 12,000 lbs., is 590 yards without the consent of the occupants, and 190 yards with their consent. Government in their Order referred to above have stated that it will be sufficient if the magazines are kept clear of buildings for a distance of 190 yards taking it for granted that all occupants of houses in this zone will be aware of the danger and also bear the cost of raising the ramp 14' higher than it is at present. To obviate further difficulties and complications in this matter, I would suggest that the distance to be kept clear round the magazines be increased to $\frac{590}{2}$ or 295 yards by virtue of the magazines being partially protected by an earthen mound all round. This will be in accordance with the Explosives Rules and I therefore request that Government may be pleased to modify their Orders of 8th January 1925 to this extent.

A plan of the locality showing the position of the magazines in relation to the surrounding country is enclosed for reference; the Municipal boundary is marked blue. It will be noticed that the lay out of the roads and building sites of the proposed Ramachandrapuram extension wherein new houses are being built, lie within the prohibited zone of ground as indicated by the three circles with a radius of 190 yards, $\frac{590}{2}$ yards and 590 yards respectively. Whether extensions of this description managed by private agency can safely be allowed to come into existence on the plea of building residential quarters under the Land Revenue Rules, necessitates very deep consideration. The Commissioner and the President appreciated this aspect of the case and/anxious were to take necessary steps to include this and other adjoining lands within the Municipal limits.

C.S.Rao

Apari

Apart from the complicated procedure laid down in the Government Order under reference, it is a point for consideration whether this piece of land just outside the Municipal Limits and so conveniently situated for the formation of a new extension or a colony for the Minerva and Maharaja Mills or for the formation of parks and play grounds similar to Binnyston gardens of Binny Mills, can be permitted to be divided by private agency into building sites without proper design for roads, drainage and other conveniences to suit modern conditions of life. I commend this aspect of the case also for the consideration of Government.

As the matter is urgent, early orders of Government are solicited.

I have the honour to be,

Sir,

Your most obedient servant,

C E Srinivasaraghavan

CHIEF INSPECTOR OF MINES

IN MYSORE.

D.S.R.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore, 16th May 1933.

No. A 5864
Gest 81-n-2

From

The *Secretary to the Government of His Highness the Maharaja of Mysore.*
Development Department.

To

The Chief Inspector of Mines
in Mysore, Oorgaum.

Sir,

With reference to your letter No. 2107 dated 1st May 1933 requesting, in the circumstances explained, that Government Order No. I&C 4560-2/Geol. 22-23-37 dated 8th January 1925 passing orders on the removal of Messrs: Nobel's Explosives magazines from their original site and rebuilding of them on a new site in survey No.69, -- Kethamaranahalli village, Bangalore Taluk, may be modified, I am directed to state that Government observe that no good case has been made out for interfering with the arrangements ordered in 1925 after considering all aspects of the case.

I have the honour to be,

Sir,

Your most obedient servant,

For Secretary to Government,

Development Department.

TSS.